

**SAN JOAQUIN COUNTY BOARD OF EDUCATION
COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
GAYLORD A. NELSON EDUCATION CENTER / BOARD ROOM
2901 ARCH-AIRPORT ROAD / STOCKTON, CA
OCTOBER 28, 2013 / 5:30 P.M.
SPECIAL MEETING
MINUTES**

PRESENT: Dave Sorgent, President; Jill Fritchen, Vice-President; Anthony Gutierrez, Committee member; Mark Thiel, Committee member; Janet Dyk, Committee member; Mick Founts, Secretary.

OTHERS PRESENT: Nancy Teicheira, Manteca Unified School District Board member; Dale Fritchen; Vince Rembulat, The Manteca Bulletin; Janai Stanton, Recorder.

I. CALL TO ORDER:

President Sorgent called the meeting to order at 5:30 p.m. Dale Fritchen led the Pledge of Allegiance.

II. COMMENTS:

- Board member Dyk invited fellow Board members to attend AgVenture at the Manteca Unified school farm on November 7, 2014 starting at 9:00 a.m. She reported that 4,000 students would be attending with over 500 volunteers assisting in the endeavor.
- Board member Fritchen invited fellow Board members to help paint the world and United States maps on the playground at August Knodt Elementary School on November 13, 2013 first thing in the morning.

III. PUBLIC HEARINGS:

1. President Sorgent opened the public hearing to gather information from the community regarding the submission of a General Waiver Request with the State Board of Education. He announced that the application requests to waive portions of Education Code 5019, 5021, 5030, and all of 5020 relative to the rearrangement of trustee areas and the method of electing governing board members to the Governing Board at the Manteca Unified School District.

Dale Fritchen, a community member of the Manteca Unified School District, shared background information regarding the action of the Manteca Unified Governing Board. He indicated that there had been a lively and lengthy discussion about whether to waive the rights of the people to vote on how they elect their representatives. After that, he said that the Manteca Unified Governing Board chose not to request the waiver and to let this go before the voters so they have the opportunity to elect. He noted that this waiver would change a key principle of government; that being the right to vote. He added that the cost of an election and providing the appropriate amount of information to the public prior to the election had been part of the conversation. Mr. Fritchen summarized by saying he hopes the County Committee does the right thing and allows the people to vote on the issue.

President Sorgent checked for understanding regarding the possibility of litigation this decision may bring and learned that it had been discussed with legal representation at a study session on the subject. There was a brief discussion about the diversity of the Manteca Unified Governing Board at present and in the past. President Sorgent noted the statistics that he had received indicate the diversity of the Board did not match the diversity of the district in his opinion.

Manteca Unified Governing Board member, Nancy Teicheira, indicated she agreed with the points drawn by Mr. Fritchen and added that she felt it is sad that there were not others from the community present to learn more about the subject. She said that she hoped that placing the question on the ballot would draw more attention to the issue.

Committee members Fritchen and Thiel agreed that the issue on the ballot will help create knowledge about the topic. Mr. Thiel added that an election does not end the issue; that the Manteca Unified Governing Board could choose to study the issue again if it is determined that the voice of the electorate does not meet the ultimate needs of the school district.

President Sorgent asked Dr. Founts about whether the County Committee could be held liable in this situation. Dr. Founts answered that in either instance the County Committee was moving the issue forward and, although one cannot predict who will file a lawsuit, whether the County Committee allows the voters to decide or applies for a waiver themselves, there is definitely evidence that the issue is being considered and action is taking place.

The conversation continued regarding disenfranchised voters, voter turn-out, the difference between this case and another where board members do not want to change the method of election, how the election may play out, the diversity of the entire state, and whether board members only represent a certain area or whether representation includes the entire school district.

The Public Hearing was closed at 6:15 p.m.

2. President Sorgent opened the public hearing to gather input from the community regarding the submission of a General Waiver Request with the State Board of Education. He announced the application waives portions of Education Code 5019, 5021, 5030, and all of 5020 relative to the rearrangement of trustee areas and the method of electing governing board members to the Governing Board at the Ripon Unified School District. There were no members of the Ripon community present. Dr. Founts reported that the stance of the Ripon Unified Governing Board had not changed and that the Board still opposes the submission of a waiver. Committee member Dyk indicated that Ripon Unified was part of the area she represents and she had not received any phone calls regarding the matter. The Public Hearing was closed at 6:25 p.m.

IV. ACTION ITEMS:

3. Minutes: On a motion from Anthony Gutierrez, second by Janet Dyk, the County Committee approved the minutes from the October 16, 2013 meeting as presented.

AYES: Sorgent, Fritchen, Gutierrez, Thiel, Dyk
NOES: None
ABSTAIN: None

4. Resolution #13-03 Resolution Requesting a Waiver of the Requirement that the Establishment of Trustee Areas and Adoption of a By-Trustee Area Election Process in the Manteca Unified School District be Submitted to the Electorate as Set Forth in Education Code Sections 5019, 5020, 5021, and 5030: On a motion from Anthony Gutierrez, second by Mark Thiel, the County Committee did not approve Resolution #13-03 as presented in order to allow the Manteca Unified School District Governing Board to move forward and place the question to the electorate at the November 2014 election.

AYES: Sorgent, Fritchen, Gutierrez, Thiel, Dyk
NOES: None
ABSTAIN: None

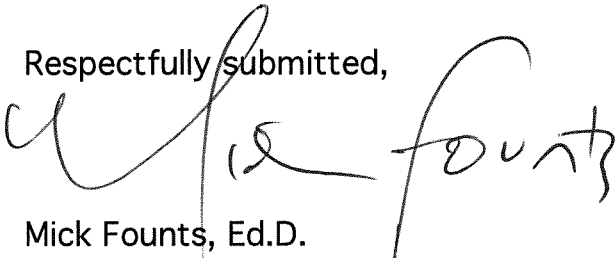
5. Resolution #13-04 Resolution Requesting a Waiver of the Requirement that the Establishment of Trustee Areas and Adoption of a By-Trustee Area Election Process In the Ripon Unified School District be Submitted to the Electorate as Set Forth in Education Code Sections 5019, 5020, 5021, and 5030: On a motion from Mark Thiel, second by Anthony Gutierrez, the County Committee approved this resolution as presented and will submit a waiver application to the State Board of Education regarding the method of electing members of the Ripon Unified School District Governing Board.

AYES: Sorgent, Gutierrez, Thiel, Dyk
NOES: Fritchen
ABSTAIN: None

V. ADJOURNMENT:

There being no further business, the meeting was adjourned at 6:35 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mick Founts". The signature is written in a cursive style with a large, looping initial "M".

Mick Founts, Ed.D.
Secretary to the County Committee /
Superintendent of Schools